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Complainant Vitajoy USA Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

**RK SOLUTIONS, LLC and VND
BUTYRATE, LLC,**

Plaintiffs,

v.

VITAJLOY USA INC.

Defendant,

Civil Action No. 2:18-cv-06608-CAS-E

**UNOPPOSED MOTION FOR
SUBSTITUTION OF PARTIES**

1 Pursuant to Rule 25(c), Federal Rules of Civil Procedure, Plaintiffs RK Solutions,
2 LLC and VND Butyrate, LLC (“Plaintiffs”) hereby move this Court for an Order
3 substituting Axxess Global Sciences LLC (“AGS”) in place of plaintiff VND Butyrate
4 LLC (“VND Butyrate”). Defendant Vitajoy USA Inc. (“Defendant”) does not oppose
5 this motion.

6 This is an action for patent infringement asserting U.S. Patent No. 6,613,356 (the
7 “’356 Patent”). Plaintiff VND Butyrate has transferred its interest in the ’356 Patent to
8 AGS, pursuant to a certain Patent Assignment Agreement. Rule 25(c), Federal Rules
9 of Civil Procedure permits (but does not require) the substitution of parties when such
10 a transfer of interest occurs. The Rule states:

11 Transfer of Interest. If an interest is transferred, the action may be
12 continued by or against the original party unless the court, on motion,
13 orders the transferee to be substituted in the action or joined with the
14 original party. The motion must be served as provided in Rule 25(a)(3).

15 Fed. R. Civ. P. 25(c); Because VND Butyrate has transferred its interest in the
16 ’356 Patent to AGS, Plaintiffs request that AGS be substituted as a plaintiff in place of
17 VND Butyrate.

18 Respectfully submitted,
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1 Dated: July 24, 2019

/s/ Ryan E. Hatch

2 Ryan E. Hatch

3 Law Office of Ryan E. Hatch, PC

4 Attorney for Plaintiffs

5 RK Solutions, LLC and VND Butyrate, LLC

6 Dated: July 24, 2019

/s/ Brian J. Kennedy

7 Brian J. Kennedy

8 Procopio, Cory, Hargreaves & Savitch LLP

9 Attorney for Defendant

10 Vitajoy USA Inc.

ATTESTATION

Pursuant to Local Rule 5-4.3.4(a)(2)(i), all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: July 24, 2019

/s/ Ryan E. Hatch
Ryan E. Hatch

